

Proposed Rules  
of  
The Tennessee Board of Regents  
State University and Community College System of Tennessee  
Northeast State Technical Community College

Chapter 0240-03-20  
Student Disciplinary Rules

Presented herein are proposed amendments of the Tennessee Board of Regents submitted pursuant to Tennessee Code Annotated § 4-5-202 in lieu of a rulemaking hearing. It is the intent of the Tennessee Board of Regents to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed in Suite 350 of the Genesco Park Building located at 1415 Murfreesboro Road, Nashville, TN 37217 and in the Department of State, Eighth Floor, Tennessee Tower, William R. Snodgrass Building, 312 Eighth Avenue, North, Nashville, TN 37243, and must be signed by twenty-five (25) persons who will be affected by the rules, or submitted by a municipality which will be affected by the rule, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of this proposed rule, contact: Mary M. Slater, 1415 Murfreesboro Road, Suite 350, Nashville, Tennessee 37217, Tennessee Board of Regents, 615-366-4437.

The text of the proposed amendments is as follows:

Amendments

1. Subparagraph (d) of paragraph (1) of Rule 0240-03-20-.06 Traffic and Parking Regulations is amended by deleting the text of the subparagraph and substituting the following language, so that, as amended, subparagraph (d) shall read:

(d) Loading zones are reserved for 20 minute loading and unloading only.

2. Subparagraphs (g) and (h) of paragraph (1) of Rule 0240-03-20-.06 Traffic and Parking Regulations are further amended by deleting the text of the subparagraphs and substituting the following language, so that, as amended, subparagraphs (g) and (h) shall read:

(g) Vehicles parked in fire lanes and loading zones will be towed at owner's expense. Fire lanes are designated as all curbed areas adjacent to any building on campus.

(h) Accidents must be reported to campus police.

3. Paragraph (1) of Rule 0240-03-20-.06 Traffic and Parking Regulations is further amended by adding new subparagraphs (j) and (k) which shall read:

(j) Loud disruptive music is prohibited.

- (k) Students, staff and faculty are not permitted to park in any space designated for visitors.

4. Subparagraph (a) of paragraph (2) of Rule 0240-03-20.06 Traffic and Parking Regulations is further amended by deleting the text of the subparagraph and substituting the following language, so that, as amended, subparagraph (a) shall read:

- (a) Student parking is permitted only in designated areas.

5. Subparagraphs (c) through (g) of paragraph (2) of Rule 0240-03-20-.06 Traffic and Parking Regulations are further amended by deleting the text of the subparagraphs and substituting the following language, so that, as amended, subparagraphs (c) through (g) shall read:

- (c) Visitor parking areas are reserved for visitors only.
- (d) Disabled parking areas are reserved for vehicles displaying a Northeast State- issued disabilities decal. Students, staff, and faculty seeking a Northeast State disabilities decal must register with the campus police office.
- (e) All parking should be done in such a manner as not to interfere with general traffic flow nor impede another properly parked vehicle. Parking on grass is prohibited.
- (f) Parking on weekends and after 5:00 p.m. on weekdays is permissible in all lots except those designated as handicap, fire lanes and 24 hour Faculty/Staff.
- (g) Visitors and guests receiving citations should return them to the Director of Police and Safety.

6. Subparagraph (a) of paragraph (3) of Rule 0240-03-20-.06 Traffic and Parking Regulations is further amended by deleting the text of the subparagraph and substituting the following language, so that, as amended, subparagraph (a) shall read:

- (a) The fine for parking and registration violation:
  - 1. First.....\$10.00
  - 2. Second.....\$15.00
  - 3. Third.....\$25.00
  - 4. Fourth and each subsequent ticket.....\$50.00

7. Paragraph (3) of Rule 0240-03-20-.06 Traffic and Parking Regulations is further amended by adding a new subparagraph (f) which shall read:

- (f) Speeding or reckless driving.....\$50.00

8. Parts 2. and 3. of subparagraph (a) of paragraph (5) of Rule 0240-03-20-.06 Traffic and Parking Regulations are further amended by deleting the text of the parts and substituting the following language, so that, as amended, parts 2. and 3. shall read:

2. The Student Traffic Court shall have a residing Chief Justice, an Associate Chief Justice, and four (4) Justices selected from the student body by a Selection Committee through an application and interview process. The term of appointment for Justices will be for no more than two (2) semesters or until the date of their graduation unless otherwise prohibited.
3. The Selection Committee appointing the Justices shall consist of the outgoing Chief Justice of the Student Traffic Court, the Coordinator of Student Development and Activities, the Director of Police and Safety, and the Vice President for Student Affairs or his/her designee.

9. Parts 6. and 7. of subparagraph (a) of paragraph (5) of Rule 0240-03-20.06 Traffic and Parking Regulations are further amended by deleting the text of the parts and substituting the following language, so that, as amended, parts 6. and 7. shall read:

6. The Chief Justice shall be responsible for keeping Court records.
7. Traffic Court dates shall be posted at the office of Police and Safety.

10. Part 1. of subparagraph (b) of paragraph (5) of Rule 0240-03-20-.06 Traffic and Parking Regulations is further amended by deleting the text of the part and substituting the following language, so that, as amended, part 1. shall read:

1. The Northeast State Student Traffic Court shall hear only student cases which are contested. Students may contest citations during regular Traffic Court sessions or through an online appeal process. [Exception: Citations for parking in a handicap zone must be appealed to the Vice President for Business Affairs through the Director of Police and Safety.]

11. Parts 3. through 5. of subparagraph (b) of paragraph (5) of Rule 0240-03-20-.06 Traffic and Parking Regulations are further amended by deleting the text of the parts and substituting the following language, so that, as amended, parts 3. through 5. shall read:

3. The decision of the Court shall be final. In no case will an appeal be considered on the basis that the Court's decision was too severe. The Vice President for Student Affairs may approve a rehearing of a case upon presentation of new significant evidence or substantiated allegations of due process violations. Such evidence must be presented to the Vice President for Student Affairs along with a written request to rehear the case within forty-eight (48) hours of the original verdict.
4. Students contesting citations are required to present the citation to the Student Traffic Court on the date of their regular session hearing. If a student fails to appear before the Student Traffic

Court, the right to a hearing is forfeited and the charges and fine affixed.

5. A Traffic Citation Appeals Committee shall hear appeals of extreme cases deemed outside the scope of the online and/or regular Student Traffic Court sessions. Membership of the committee shall consist of the Student Traffic Court Chief Justice (or a designate), one administrative/staff representative, and one faculty representative. The decision of the Traffic Citation Appeals Committee is final with no further appeal process.

Authority: T.C.A. § 49-8-203.

The proposed rules set out herein were properly filed in the Department of State on the 20th day of September, 2007, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 28th day of January, 2008. (FS 09-26-07; DBID 2697)